

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

**DEMETRIUS HARVEY**

No. C 07-1681 MJJ

Plaintiff,

**CLERK'S NOTICE  
VACATING  
MOTIONS HEARING**

v.


**CITY OF OAKLAND, et al.,**

Defendants.

YOU ARE NOTIFIED THAT, as the plaintiff has filed an Amended Complaint on July 13, 2007, the Court has accordingly STRICKEN defendants' motion to dismiss the original complaint as MOOT without prejudice to re-filing. The motions hearing previously scheduled for Tuesday, August 7, 2007 at 9:30 a.m. before the Honorable Martin J. Jenkins is VACATED.

Dated: 8/6/07

FOR THE COURT,  
Richard W. Wieking, Clerk

By:   
Edward Butler  
Courtroom Deputy

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

DEMETRIUS L. HARVEY,  
Plaintiff,

v.

CITY OF OAKLAND et al,  
Defendant.

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Case Number: CV07-01681 MJJ

**CERTIFICATE OF SERVICE  
ON NON E-FILING PARTY**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on August 6, 2007, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Demetrius Harvey  
360 So Helm Avenue  
Fresno, CA 93727



Dated: August 6, 2007

Richard W. Wieking, Clerk  
By: Edward Butler, Deputy Clerk